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7 Attorneys for Defendants Fitbit, Inc.,
James Park, and William Zerella
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 STEPHEN LOPES, Individually and On Behalf
of All Others Similarly Situated,

13 Plaintiff,

14 v.

15 FITBIT, INC., JAMES PARK, and
16 WILLIAM ZERELLA,

17 Defendants.
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Case No. 3:18-cv-06665-JST

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING SCHEDULE FOR
FILING CONSOLIDATED AMENDED
COMPLAINT AND DEFENDANTS'
RESPONSES THERETO**

Judge: The Honorable Jon S. Tigar

Date Action Filed: November 1, 2018

1 WHEREAS, this action is a proposed class action alleging violations of the federal
2 securities laws against Fitbit, Inc. (“Fitbit” or the “Company”), James Park, and William Zerella
3 (collectively, “Defendants”);

4 WHEREAS, by Order dated April 25, 2019 (ECF No. 48), pursuant to Section
5 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), this Court
6 appointed Irving Lubman as “Lead Plaintiff” in this securities class action and approved his
7 selection of Glancy Prongay & Murray LLP as Lead Counsel; and

8 WHEREAS, following the appointment of Lead Plaintiff and Lead Counsel, the parties
9 have met and conferred and agreed on a schedule for Lead Plaintiff to file a consolidated
10 amended complaint and for Defendants’ responses thereto;

11 NOW THEREFORE, the parties stipulate and agree as follows:

- 12 1. Lead Plaintiff shall file his consolidated amended complaint on or before June 24,
13 2019;
- 14 2. Defendants shall answer or otherwise respond to the consolidated amended
15 complaint on or before August 23, 2019;
- 16 3. If any Defendant files a motion to dismiss the consolidated amended complaint,
17 Lead Plaintiff shall file any opposition thereto on or before October 22, 2019
- 18 4. Any Defendant who files a motion to dismiss may file a reply on or before
19 December 6, 2019.

20 Respectfully submitted,

21 Dated: April 29, 2019

FENWICK & WEST LLP

22 By: /s/ Alexis I. Caloza

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23 Attorneys for Defendants Fitbit, Inc., James Park,
24 and William Zerella
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1 Dated: April 29, 2019

GLANCY PRONGAY & MURRAY LLP

2 By: /s/ Casey E. Sadler

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Attorneys for Lead Plaintiff

9 Pursuant to Civil L.R. 5-1(i)(3), all signatories concur in filing this stipulation.

10 Dated: April 29, 2019

FENWICK & WEST LLP

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Attorneys for Defendants Fitbit, Inc., James Park,
and William Zerella

18 ~~PROPOSED~~ ORDER

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20
21 Dated: April 30, 2019


The Honorable Jon S. Tigar
United States District Court Judge